

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

Writ Petition No.4900 of 2003

1. Anusaya Chitra Mandir & anr. Petitioners
v/s.
The Sangli Bank Limited Respondent

Mr.S.A Sawant for petitioners.

Mr.G.V. Bhagwat i/by Divekar & Co. for respondent.

**CORAM : SMT.RANJANA DESAI &
SMT.ROSHAN DALVI, JJ.**

Dated : 14th January 2008

P.C. :

1. We have heard Mr.Sawant, learned counsel for the petitioners. He states that the petitioners have deposited Rs.40,41,235/- with the respondent-bank and in view of this, the petitioners wish to withdraw the petition. Learned counsel for the respondent-bank says that he is not in a position to confirm whether such amount is deposited by the petitioners in this court. Since the petitioners desire to withdraw the petition, we allow the petitioners to withdraw it. The petition is allowed to be withdrawn and is disposed of

as such. However, we make it clear that since learned counsel for the respondent-bank has not confirmed that the petitioners have deposited the abovementioned amount in the court, the statement made by the petitioners' counsel to that effect may not be treated as having been accepted by this court. We further make it clear that the deposit of the aforesaid amount would obviously not restrain the Debts Recovery Appellate Tribunal from deciding the Review Petition if it is pending before it on merits and in accordance with law.

(SMT.RANJANA DESAI, J.)

(SMT.ROSHAN DALVI, J.)